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8 JOSE MAYO RODRIGUEZ

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10
11 UNITED STATES DISTRICT COURT

12 EASTERN DISTRICT OF CALIFORNIA

13
14 UNITED STATES OF AMERICA,
15 Plaintiff,
16
17 vs.
18 JOSE ENCARNACION MAYO RODRIGUEZ,
19 SYLVIA ZAMBRANO, MARIA LUISA
20 ESCAMILLA LOPEZ, JUAN CHAVARRIA,
21 JUAN RAMON LOPEZ, and CHARLES
22 JAMES BILLINGSLEY,
23 Defendants.

24 Case No.: 2:19-cr-231 WBS

25 STIPULATION AND ORDER
26 CONTINUING STATUS CONFERENCE
27 AND EXCLUDING TIME UNDER THE
28 SPEEDY TRIAL ACT

Date: August 28, 2023
Time: 9:00 a.m.
Court: Hon. William B. Shubb

29
30 This case involves a conspiracy to distribute methamphetamine and heroin. . . The
31 government has provided to defense counsel voluminous discovery consisting of approximately
32 4,400 pages of material, including numerous video and audio recordings, photographs, and
33 written investigative reports.

34 Many of the events at issue in the case occurred in San Joaquin County, with additional

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1 matters occurring in Southern California and the San Francisco Bay Area. Defense investigation
2 into the charged events can be characterized as state-wide in scope. Defense investigation of the
3 relevant events is continuing.
4

5 The parties to this action, Plaintiff United States of America by and through Assistant
6 United States David Spencer, and Attorney Todd Leras on behalf of Defendant Jose Mayo
7 Rodriguez, Attorney Christopher Cosca on behalf of Defendant Sylvia Zambrano, Attorney Dina
8 Santos on behalf of Defendant Maria Escamilla Lopez, Attorney Clemente Jimenez on behalf of
9 Defendant Juan Chavarria, Attorney Philip Cozens on behalf of Defendant Juan Lopez, and
10 Attorney Johnny L. Griffin, III, on behalf of Defendant Charles Billingsley, stipulate as follows:
11

12 1. By this stipulation, Defendants now move to vacate the status conference presently
13 set for August 28, 2023. The parties request to continue the status conference to
14 November 20, 2023, at 9:00 a.m., and to exclude time between August 28, 2023 and
15 November 20, 2023, inclusive, under Local Code T-4.¹ The United States does not
16 oppose this request.
17

18 2. Based on the above-stated facts regarding the volume of discovery and the time
19 required for defense investigation, the parties jointly request that the Court find that
20 the ends of justice served by continuing the case as requested outweigh the best
21 interest of the public and the Defendants in a trial within the time prescribed by the
22

23
24
25 ¹ Defendant Billingsley, by and through his counsel, previously indicated to the Court that he was
26 considering filing a motion to sever wherein he would also request the setting of a trial date. However, in light of
additional and ongoing defense investigation concerning Count Thirteen (18 U.S.C. 924 (c)(1)(A)), defendant
Billingsley currently does not intend to seek severance or the setting of a trial date.
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1 Speedy Trial Act.

2 3. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
3 *seq.*, within which trial must commence, the time period of August 28, 2023 to
4 November 20, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. §
5 3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance
6 granted by the Court at Defendants' request on the basis that the ends of justice
7 served by taking such action outweigh the best interest of the public and the
8 Defendants in a speedy trial.

9
10 4. Nothing in this stipulation and order shall preclude a finding that other provisions of
11 the Speedy Trial Act dictate that additional time periods are excludable from the
12 period within which a trial must commence.

13
14 Assistant U.S. Attorney David Spencer and all defense counsel have reviewed this
15 proposed order and authorized Todd Leras to sign it via email on their behalf.

16
17 DATED: August 22, 2023

18 By /s/ Todd D. Leras for
19 DAVID SPENCER
20 Assistant United States Attorney

21 DATED: August 22, 2023

22 By /s/ Todd D. Leras
23 TODD D. LERAS
24 Attorney for Defendant
25 JOSE MAYO RODRIGUEZ

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1 DATED: August 22, 2023

2 By /s/ Todd D. Leras for
3 CHRISTOPHER R. COSCA
4 Attorney for Defendant
5 SYLVIA ZAMBRANO

6 DATED: August 22, 2023

7 By /s/ Todd D. Leras for
8 DINA L. SANTOS
9 Attorney for Defendant
10 MARIA ESCAMILLA LOPEZ

11 DATED: August 22, 2023

12 By /s/ Todd D. Leras for
13 CLEMENTE JIMENEZ
14 Attorney for Defendant
15 JUAN CHAVARRIA

16 DATED: August 22, 2023

17 By /s/ Todd D. Leras for
18 PHILIP COZENS
19 Attorney for Defendant
20 JUAN RAMON LOPEZ

21 DATED: August 22, 2023

22 By /s/ Todd D. Leras for
23 JOHNNY L. GRIFFIN, III
24 Attorney for Defendant
25 CHARLES BILLINGSLEY, JR.

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27
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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for August 28, 2023, is vacated. A new status conference is scheduled for November 20, 2023, at 9:00 a.m. The Court further finds, based on the representations of the parties and Defendants' request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from August 28, 2023, up to and including November 20, 2023.

IT IS SO ORDERED.

Dated: August 23, 2023

William W. Shubert

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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